IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH

AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.15043 of 2007

Dated: August 13, 2007

Between:

V. Ravichandra, S/o. V. Uday Bhasker,
Aged about 20 years, Occ: Student,
R/o. Sattupally, Sattupally Mandal,
Khammam District.

… Petitioner

And

The Principal, Government Polytechnic College,
Warangal, Warangal District, and others.

… Respondents

Order:

Petitioner, a student, has filed this writ petition seeking Mandamus to declare the action of the second respondent in not issuing provisional certificate and memorandum of marks to him with regard to Diploma in Electronics and Communication Engineering (DECE) course undergone by him as illegal and arbitrary.

2. I have heard learned counsel for the petitioner, learned Government Pleader for Education for the first respondent and Mr. P.V.S.S.S. Rama Rao for respondents 2 and 3.

3. In the affidavit filed in support of the writ petition, it is stated that petitioner completed his X class and thereafter joined and completed Intermediate (Vocational Engineering) course along with Bridge Course, which consists of Mathematics, Physics and Chemistry. It is stated that thereafter, he took admission in DECE course. The case of the petitioner is that though he has completed the said course, the provisional certificate and memorandum of marks relating thereto have not yet been furnished to him by the respondents. It is stated that petitioner qualified in ECET and is likely to secure a seat; he has submitted representation dated 19-06-2007 to the first respondent in this regard, however no action whatsoever has been.

4. Second respondent, Secretary, State Board of Technical Education and Training, has filed counter affidavit stating that the Commissioner of Technical Education has issued notification in the year 2004 inviting applications from eligible candidates who passed Intermediate (Vocational Engineering) course along with Bridge Course (Mathematics, Physics and Chemistry) conducted by Board of Intermediate Education, securing 45% marks, for admission into three-year diploma courses offered in Government and Private Polytechnic colleges to an extent of 10% of sanctioned intake. It is stated that as per paragraph 2(B) of the said notification, candidates of Intermediate (vocational courses) admitted into second year diploma courses have to pass examinations in deficient subjects as identified and conducted by the Secretary, State Board of Technical Education and Training, before entering final year diploma course. It is also stated that as per

the identification of the Board, students of Intermediate (vocational courses) who were admitted in second year Electronics and Communication Engineering course, have to pass Electrical Engineering subject (EC-104) before entering final year diploma course. It is further stated that after petitioner joined in the second year of the said course, second respondent has conducted examination for deficient subject, i.e. EC-104 in the months of September/October, 2004 and March/April, 2005, however petitioner did not appear in the said examination; hence he is not eligible for award of provisional certificate and memorandum of marks.

5. The very notification referred above indicates that certain deficient subjects have to be passed by the students who sought admission into the course based on Intermediate (vocational courses). It is not in dispute that the State Board of Technical Education and Training has notified one subject, namely, Electrical Engineering (EC-104) as one of the deficient subjects for the students who completed their Intermediate (vocational courses) before entering final year diploma course. Though it is the case of the petitioner that such examination was not conducted after he took admission into the said course, however, in the counter affidavit filed by the second respondent it is stated that examination for the deficient subject, namely, Electrical Engineering (EC-104) was conducted in September/October, 2004 and March/April, 2005.

6. As much as the petitioner has not completed one of the subjects, which is identified as deficient subject by the State Board of Technical Education and Training, he cannot seek directions for issuance of provisional certificate and memorandum of marks. Though it is submitted by learned counsel for the petitioner that in similar

circumstances, some other students, who studied in the previous academic years, have been granted exemption from passing the deficient subject, it is not known under what circumstances such exemption was granted in the examination which is a part of the course. In that view of the matter, no relief as sought for can be granted.

7. The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

August 13, 2007
MRR